

Frederick County Ethics Commission
Minutes for the Public Meeting of Wednesday, August 8, 2018

Present: Stephen K. Hess, Chair
 Ernest A. Heller, Vice-Chair
 Deidre R. Davidson, Commission Member
 Christopher D. Glass, Sr., Commission Member
 Deborah L. Lundahl, Commission Member
 Rev. Douglas P. Jones, Alternate Commission Member
 Linda B. Thall, Senior Assistant County Attorney

Absent: M. Shane Canfield, Commission Member
 Alan Shapiro, Commission Member

The meeting of the Frederick County Ethics Commission began at 7:00 p.m. on August 8, 2018, in the Winchester Room on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

Discussion and approval of agenda – The meeting agenda circulated before the meeting called for a discussion of a draft letter to the County Executive conveying the Commission’s training recommendations. As the draft letter is not yet available for discussion, the members agreed that this agenda item will be rescheduled for the September meeting.

Approval of minutes – The draft minutes from the July 11, 2018 meeting were emailed to the members before the meeting.

MOTION: Mr. Heller made a motion to approve the minutes. Rev. Jones seconded the motion, which was approved unanimously.

Discussion of training PowerPoint – Mr. Hess first thanked Mr. Heller and Ms. Davidson for their work on preparing the PowerPoint handout to be attached to the Commission’s letter to the County Executive recommending ethics training for officials and employees. The Commission members then discussed the written comments on the handout that were received from Mr. Heller, Mr. Shapiro, Rev. Jones and Ms. Thall before the meeting. Mr. Heller expressed concern that the second part of slide 17 contained incorrect information about post-employment restrictions. He further asked that the Ethics Brochure be checked to ensure that the incorrect information was not contained in the published brochure. Ms. Davidson confirmed that the brochure did not contain the error. Mr. Heller suggested that only the first part of slide 17 be retained. All of the members agreed.

The Commission members also agreed to make some of the recommended changes to the PowerPoint, including the following:

- To review the word usage of “may” and “must” in the PowerPoint for consistency, where appropriate
- To add a definition of the term “relative”
- To retain the references to “employees and officials”
- To revise the wording on the acceptance of gifts
- To remove Mr. Hess as a designated point of contact on the PowerPoint for questions, while keeping Ms. Thall as the point of contact
- To add the Commission’s email address for persons wishing to contact the Commission
- To add a panel on the disclosure of confidential information
- To delete the slides on kickbacks and contractor ethics and “What is the Ethics Commission”
- Ms. Thall’s suggested edits

The members and Ms. Thall were asked to develop additional questions and answers to be discussed at the next Commission meeting. Mr. Glass asked whether the Commission should make a recommendation to the County Executive to approve mandatory sexual harassment training for employees and officials. Mr. Hess suggested that the recommendation be a part of the letter to the County Executive and that it be noted that this is not a matter within the jurisdiction of the Ethics Commission, but that the Commission believed it was important to raise as an issue. Ms. Davidson recommended that the letter make the point that the type of presentation being developed for ethics training could also be used to develop a format for sexual harassment training.

Annual report – In addition to the mandatory items for inclusion in the Ethics Commission’s annual report (the number of meetings held during the past year and copies of meeting agendas and minutes), the members discussed what other items should be included in the report.

MOTION: Mr. Hess made a motion to have the report contain the number of meetings held, the meeting agendas and minutes and to then focus on the Commission’s identification of the need to provide training to officials and employees and the progress it has made in refining the nature and scope of the proposed training. Further, the Commission should note that it developed a brochure with information about the Ethics Law and that the brochure is posted on the Commission’s webpage. The motion was approved by unanimous consent.

Mr. Hess asked Ms. Thall to prepare a draft of the report for consideration at the next meeting.

Distribution of Public Ethics Report – The Commission received the report prepared by the Office of the County Executive for the reporting period of January 1, 2018, through June 30, 2018. Ms. Thall summarized the provisions in the Public Ethics Law

that require the disclosure of certain types of ex parte communications and the provision of a report providing information about the disclosures received.

Adjournment

MOTION: Mr. Glass made a motion to adjourn the meeting. The motion was seconded by Ms. Davidson and approved unanimously.

The Ethics Commission adjourned its meeting at 8:30 p.m.

/s/
Linda B. Thall, Senior Assistant County Attorney